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Economics Branch

GOVT PUBNS



PROVINCIAL AGRICULTURAL LEGISLATION



in Quebec and Ontario 1955

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PREFACE


This summary of provincial agricultural legislation in Quebec and Ontario replaces the reference paper on the same subject which was issued by the Department of Agriculture in 1952 and the supplement and consolidated index issued in 1953. The present work includes provincial legislation on the statute books on July 1, 1955.

Statutes of the provinces of Quebec and Ontario which directly or indirectly bear upon agriculture, together with amendments, are classified according to subject matter and summarized very briefly. These summaries have been written in non-legal, non-technical language. They are not intended to be read as substitutes for the statutes themselves.

The following abbreviations are employed:-

R.S.Q.	-	Revised Statutes of Quebec
S.Q.	-	Statutes of Quebec
R.S.O.	-	Revised Statutes of Ontario
S.O.	-	Statutes of Ontario
c.	-	chapter
(am.)	-	amendment
(sec.)	-	section
(2nd)	-	Second Session

Similar papers covering agricultural legislation in the Western Provinces and the Atlantic Provinces are in course of preparation. A summary entitled "Federal Agricultural Legislation in Canada 1954" was recently issued.



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DIVISION OF LEGISLATIVE POWERS CONCERNING AGRICULTURE

In Canada, all legislative authority is divided between the Federal Parliament and the Provincial Legislatures. This division is made in Sections 91, 92, 93 and 95 of the British North America Act and its amendments. However, this division has been profoundly affected by the interpretation placed upon the various sections of the B.N.A. Act by the courts in the course of many judicial decisions since 1867. Until recently these final decisions were rendered by the Judicial Committee of the Imperial Privy Council; latterly, and in the future, the final decisions have been and will be made by the Supreme Court of Canada. The consequence is that a literal reading of the B.N.A. Act will not in itself clearly reveal the division of legislative power in Canada; a knowledge of the judicial interpretation of the constitution is also essential.

The general legislative powers of the Federal Parliament are contained in the opening words of Section 91 of the B.N.A. Act as follows: "It shall be lawful for the Queen, by and with the Advice and Consent of the Senate and House of Commons to make Laws for the Peace, Order and good Government of Canada, in relation to all Matters not coming within the Classes of Subjects by this Act assigned exclusively to the Legislatures of the Provinces ..." Then are listed a number of matters over which the Federal Parliament is to have exclusive legislative authority. However, as a result of judicial decisions the general power of the Federal Parliament has been interpreted, in the main, as applying only in periods of national emergency.

The general legislative powers of the provinces are contained in Section 92 of the B.N.A. Act and, especially, as a result of judicial decisions, in sub-sections 13 and 16, as follows: "In each Province the Legislature may exclusively make Laws in relation to Matters coming within the Classes of Subjects next hereinafter enumerated; that is to say, -

13. Property and Civil Rights in the Province.

16. Generally all Matters of a merely local or private Nature in the Province."

Section 95 of the B.N.A. Act, which provides for concurrent jurisdiction over agriculture, but with the federal law prevailing in case of conflict, reads as follows:

"In each Province the Legislature may make Laws in relation to Agriculture in the Province, and to Immigration into the Province; and it is hereby declared that the Parliament of Canada may from Time to Time make Laws in relation to Agriculture in all or any of the Provinces and to

Immigration into all or any of the Provinces; and any Law of the Legislature of a Province relative to Agriculture or to Immigration shall have effect in and for the Province as long and as far only as it is not repugnant to any Act of the Parliament of Canada."

The Federal Parliament is given exclusive jurisdiction over "The Regulation of Trade and Commerce" by sub-section 2 of Section 91 of the B.N.A. Act but the general effect of judicial decisions has been to confine this power to inter-provincial and international trade and commerce and to consign trade and commerce within the boundaries of a province to provincial jurisdiction. Hence federal laws dealing with agricultural products may apply only to trade which extends beyond provincial boundaries.

In order to secure uniformity of laws and regulations respecting such matters as the marketing of agricultural products, there are situations in which the federal parliament has passed statutes applying to inter-provincial and export trade and provinces have passed very similar statutes which apply to trade within those provinces. This is sometimes called concurrent legislation. For example, the Canada Dairy Products Act and the Milk Industry Act of Ontario are in substantial concurrence, especially in the regulations authorized under the statutes.

The federal Agricultural Products Marketing Act provides that the Governor in Council may grant authority to any provincial board or agency which has power to regulate the marketing of agricultural products locally within the province, the same authority to regulate the marketing of such agricultural products in inter-provincial and export trade.

Several of the provincial acts, mainly those dealing with drainage and irrigation works and with the provision of Crown lands for settlement schemes, give power to their appropriate Ministers to enter into agreements with the federal government for undertaking joint projects affecting agriculture.

Another sub-section of Section 91 of the B.N.A. Act which gives exclusive power to the Parliament of Canada over matters indirectly affecting agriculture is number 17, "Weights and Measures".

The provinces obtain exclusive power in matters indirectly affecting agriculture in the following sub-sections of Section 92 of the B.N.A. Act:

"5. The Management and Sale of the Public Lands belonging to the Province and of the Timber and Wood thereon.

8. Municipal Institutions in the Province.

9. Local Works and Undertakings (with certain exceptions).

11. The Incorporation of Companies with Provincial Objects.

15. The Imposition of Punishment by Fine, Penalty or Imprisonment for enforcing any Law of the Province made in relation to any Matter coming within any of the Classes of Subjects

enumerated in this Section."

In several matters, such as research in the control of plant and animal diseases, in which both Canada and the provinces are interested, there is co-operation between the federal and provincial administration departments to prevent duplication of effort.

1. ADMINISTRATION

Q U E B E C

DEPARTMENT OF AGRICULTURE ACT, R.S.Q. c.111, 1941; S.Q. 1942, c.39 (am.);
S.Q. 1944, c.24 (am.)

"An Act respecting the Department of Agriculture".

The Department of Agriculture is established. The Minister is given control of everything connected with agriculture in the province. He is given supervision over agricultural schools and over agricultural societies of all types and is empowered to make loans and grants to them. He is to collect facts and statistics relating to agriculture and circulate them. The act provides for an annual fund of \$300,000 to be used for guarantees or advances to co-operative agricultural associations. (For summary of Part V of this act see under "Land Policy - Development, conservation, drainage and irrigation.")

O N T A R I O

DEPARTMENT OF AGRICULTURE ACT, R.S.O. c.93, 1950

The Minister of Agriculture has direction and control of the administration of the law relating to agriculture in all its branches, of the administration of appropriations under the Department of Agriculture, of the Ontario Agricultural College, of the Ontario Veterinary College and such other functions, duties and powers as may be assigned to him by the Lieutenant-Governor in Council.

2. PRODUCTION

(a) General

Q U E B E C

AGRICULTURAL ABUSES ACT, R.S.Q. c.139, 1941

"An Act respecting Certain Abuses Injurious to Agriculture".

This act deals with a variety of abuses affecting agriculture. It forbids trespass on the property of others and permits the owner to arrest the trespasser. It forbids the damaging of another person's property or the pulling down of a fence or the possession of a tree or any part of a tree upon the wooded land of another person. It deals with the disposal of wood or timber left upon a lake, stream or beach. It provides that owners or occupants of land must destroy noxious weeds and that municipalities must appoint weed inspectors who may order the destruction of weeds and charge the costs against the owner, the costs being collectible in the same way as municipal taxes. It also deals with the obligation of dog owners regarding declaration of ownership and licensing

of dogs and forbids owners to allow them to wander at large without tags in organized territory or to wander at large in unorganized territory between May 1 and December 15. Municipalities must make regulations to prevent the damage which stray dogs may cause and they are held responsible for the damage caused by dogs to sheep or other farm animals within their territories. The indemnity is limited to three-fourths of the damages caused and does not cover damages suffered by animals running at large. The method of assessing damages is described. The municipal corporation has recourse for reimbursement of the indemnity and other costs against any person civilly responsible for the damage. To meet the payment of indemnities to persons whose animals are killed or injured by dogs, the municipality shall levy a tax on each dog and pay the proceeds into a special fund for the purpose. Upon complaint that a dog is vicious or has hydrophobia or habitually attacks persons or animals, a justice of the peace may order the dog to be confined for 40 days or killed. It is lawful to kill any dog off its master's property which pursues and strangles sheep. Any person may call upon the owner of any sheep or other domestic animals infected with scab or other contagious disease to isolate such animals and, in case of refusal or neglect to obey this warning, the owner may be fined by a justice of the peace.

DEMONSTRATION FARMS ACT, R.S.Q. c.131, 1941

"An Act respecting the Establishment and Maintenance of Demonstration Farms".

The Minister of Agriculture is authorized to establish demonstration farms and remunerate the owners thereof, making necessary loans for the purchase of stock and equipment and buildings. The method of operating each farm shall be under the control of the Minister and the Lieutenant-Governor-in-Council may make regulations regarding the admission of visitors. No demonstration farm shall be liable to any increase in municipal or school taxes by reason of the improvements made to the farm, so long as it remains a demonstration farm.

RURAL ELECTRIFICATION ACT, S.Q. 1945, c.48; S.Q. 1946, c.30 (am.); S.Q. 1948, c.40 (am.); S.Q. 1949, c.43 (am.); S.Q. 1950, c.6 (am.); S.Q. 1950-51, c.33 (am.); S.Q. 1951-52, c.6 (am.); S.Q. 1951-52, c.44 (am.); S.Q. 1952-53 c.50 (am.); S.Q. 1952-53, c51(am.); S.Q. 1953-54, c.5 (am.); S.Q. 1954-55, c.6 (am.)
"An Act to promote rural electrification by means of electricity co operatives".

A Rural Electrification Bureau is established to divide the province into rural electrification zones and to assist rural electricity co-operatives by making loans to them and in other ways. The act provides for the formation of rural electricity co-operatives which are corporations. It specifies how they are to be organized and operated and deals with their powers and duties.

MOTOR VEHICLES ACT, R.S.Q. c.142, 1941; S.Q. 1942, c.43 (am.); S.Q. 1943, c. 24 (am.); S.Q. 1945, c.39 (am.); S.Q. 1947, c.47, c.48 (am.); S.Q. 1949, c.18, c.21, c.46 (am.); S.Q. 1950-51, c.33 (am.); S.Q. 1951-52, c.45 (am.); S.Q. 1952-53, c.13, c.16 (am.); S.Q. 1953-54, c.9 (am.); S.Q. 1954-55, c.16 (am.)
"An Act respecting Motor Vehicles".

Section 9 (3) provides for free registration of any tractor possessed by a farmer and employed exclusively on a farm.

GAME LAWS, R.S.Q. c.153, 1941; S.Q. 1942, c.45 (am.); S.Q. 1944, c.28 (am.); S.Q. 1945, c.40 (am.); S.Q. 1947, c.49 (am.); S.Q. 1950, c.65 (am.); S.Q. 1952-53, c.47 (am.); S.Q. 1954-55, c.13 (am.)
"An Act respecting Game".

Section 26 provides that any owner or tenant may chase away or kill any game animal, except beaver, causing or seriously threatening to cause damage to his property. However, the game warden must be notified when the animal is killed. Section 64 provides for the payment of bounty for killing wolves.

O N T A R I O

RURAL HYDRO-ELECTRIC DISTRIBUTION ACT, R.S.O. c.342, 1950

Upon the recommendation of the Hydro-Electric Power Commission of Ontario, the government of the province may make a grant to a rural power district not exceeding 50 per cent of the capital cost of acquiring and constructing lands and works for the supply of power. It may also grant to a township or an urban municipality supplying power in an adjoining township or in a rural power district under the Public Utilities Act or any other general or special act a sum not exceeding 50 per cent of the capital cost of constructing or erecting in such adjoining township or rural power district primary transmission lines and cables, transformers, meters, etc. for the delivery of power in such adjoining township or in the rural power district.

RURAL POWER DISTRICT SERVICE CHARGE ACT, R.S.O. c.344, 1950

The Lieutenant-Governor-in-Council, upon the recommendation of the Hydro-Electric Power Commission of Ontario, may fix the maximum service charge in any rural power district and the minimum number of consumers of different classes per mile of transmission line required for construction of works by the Commission in a rural power district. Where, as a result of the above action, the rural power district has a deficit, the deficit shall be paid by the province but if subsequently the district has a surplus, the surplus will be paid to the province until the amount formerly paid by the province is extinguished.

RURAL POWER DISTRICT LOANS ACT, R.S.O. c.343, 1950

A fund not exceeding \$2,000,000 is established to provide advances towards the installation of electrical services in rural power districts.

The advances may be made to property owners to pay for wiring in dwellings, barns and outhouses and for transformers, motors and other appliances necessary for industrial, agricultural or domestic purposes. An advance shall not exceed \$1,000 and be repayable within 20 years.

GAME AND FISHERIES ACT, R.S.O. c. 153, 1950; S.O. 1951, C. 29 (am.); S.O. 1952, c. 33 (am); S.O. 1953, c.40 (am.); S.O. 1955, c. 25 (am.)

Section 7, (2) of this act provides that a farmer or his sons residing upon his lands and hunting and trapping fur-bearing animals, other than beaver, thereon during the open seasons, do not require licenses for the purpose.

THE LIGHTNING RODS ACT, R.S.O. c. 206 1950

The act requires sellers of lightning rods to be licensed by the Fire Marshall and the Lieutenant-Governor-in-Council may make regulations prescribing minimum standards for lightning rods, governing the manner of their installation and designating the classes of buildings to which this act shall not apply. Every person who installs lightning rods must make a certificate of installation upon completion of the work and present it for the signature of the owner of the property or his agent. The matter to be included in the certificate is specified.

THE DAMAGE BY FUMES ARBITRATION ACT, R.S.O. c.87, 1950; S.O. 1953, c.14 (am.)

This act provides for the appointment of an arbitrator to investigate and assess damage to crops, trees and other vegetation resulting from sulphur fumes arising from the smelting or roasting of nickel-copper ore or iron ore. The act specifies how the arbitrator is to perform his duties, what is to be the effect of the arbitrator's award and how appeals from his decisions may be made.

(b) CROPS

C U E E C

PLANT PROTECTION ACT, R.S.O. c. 138, 1941

"An Act respecting the Protection of plants from Destructive Insects and Fungoid Diseases and Regulating the Commerce in Nursery Products".

Nurserymen must obtain permits from the provincial entomologist. The latter has power to enter and inspect nurseries, gardens, orchards and fields. No person may keep in his possession any plant that is infected with any of the diseases listed in the act. The owner or occupant of any property where any insect or plant disease exists or is suspected must inform the Minister of Agriculture of the fact. The act deals with the powers of the entomologist to order the treatment or destruction of plants, prohibit the transportation of infected plants and impose quarantine. It also deals with the importation of plants into the province. The Lieutenant-Governor in Council may make regulations specifying the kinds of insects and plant diseases to which this act shall apply.

BEACH HAY ACT, R.S.Q. c.331, 1941

"An Act concerning the Grass Growing on Certain Beaches".

The owners of the lands bordering the south shore of the St. Lawrence River below the City of Quebec are to retain their right to cut and cure the grass on the beaches or strands thereof between high and low-water marks along the front of their respective parcels of land and farms to the exclusion of all other persons. No person shall permit livestock to run at large in the summer or autumn on these beaches.

O N T A R I O

WEED CONTROL ACT, R.S.O. c.421, 1950

The Lieutenant Governor-in-Council may designate any plant as a noxious weed. It is the duty of every occupant of land, or if the land is unoccupied, the owner, to destroy all noxious weeds thereon as often in every year as is necessary to prevent the ripening of their seeds. The same duty devolves upon every road authority. The council of every county, every municipality not forming part of a county and every municipality in a territorial district must, and the council of any town, village or township in a county may, appoint one or more weed inspectors who have power to enter land between sunrise and sunset and enter buildings other than dwelling houses and inspect machinery, implements and vehicles. Where the inspector finds noxious weeds or weed seeds and the occupant or owner does not enter into a satisfactory arrangement for their destruction, the inspector may order their destruction. If the order is not obeyed, the inspector may cause the noxious weeds or weed seeds to be destroyed and collect the expenses incurred from the owner or occupant. If the latter refuses or fails to pay, the amount shall be collected in the same manner as taxes. The act deals also with the cleaning of threshing, seed-cleaning and similar machines and with grain elevators, grist mills, flour mills and similar establishments so as to prevent weed seeds from growing and spreading. No person may operate a seed-cleaning plant without a license issued by the Minister of Agriculture and the plant must have an efficiency not lower than the minimum standard prescribed by the regulations.

PLANT DISEASES ACT, 1954, S.O. 1954, c.72

Persons operating nurseries and dealers in nursery stock must be licensed and no such person may ship, transport, sell, offer for sale or have in his possession any plant having a plant disease. A Director may be appointed by the Lieutenant Governor-in-Council to administer and enforce this act and also a Provincial Entomologist and one or more inspectors who shall carry out the duties assigned to them by this act or the regulations or the Director. The council of a municipality may, and upon petition of at least 25 ratepayers shall, appoint one or more municipal inspectors to enforce the act within the municipality with respect to any plant disease designated by the council. The powers and duties of inspectors are prescribed regarding entry of premises and vehicles, disinfection of

diseased plants and prohibition to grow certain plants. The Lieutenant Governor in Council may make regulations designating plant diseases within the meaning of this act, providing for the establishment of plant disease control areas, providing for the control or eradication of any plant disease in any area, providing for the issue of certificates as to the freedom from any plant disease of plants grown in any nursery, farm, garden, orchard or other place or kept upon any premises of a dealer in nursery stock, providing for provincial grants to reimburse in part any municipality for its expenses incurred under this act and regarding similar matters.

SEED POTATOES ACT, R.S.O. c.355, 1950

Upon petition of 80 per cent of potato growers in any part of a township, the township council may prescribe that part as a seed potato restricted area. The council must appoint one or more inspectors in the area to enforce the provisions of this act. A seed potato restricted area may also be formed by the Lieutenant Governor in Council in territory without municipal organization. After the establishment of the restricted area, no grower may plant any seed potatoes other than those prescribed by the regulations and no person may move into the area any kind or grade of potatoes without a permit from the inspector or any container that has been used for potatoes or that is infected with any potato disease. All potatoes moved out of a restricted area must be in new containers. Provision is made for annual disinfection of storage, containers and machinery used for potatoes and inspection of potato fields. No person is permitted to move from one farm to another within the area, any potatoes infected with bacterial ring rot. The Lieutenant Governor in Council may make regulations prescribing the kinds and grades of potatoes which may be planted in a restricted area, prescribing the duties of inspectors and providing for provincial grants to reimburse townships for expenses incurred under this act.

THRESHING MACHINES ACT, R.S.O. c.390, 1950

This act is now inoperative.

GINSENG ACT, R.S.O. c.159, 1950

This act is now inoperative.

(c) Livestock

Q U E B E C

ANIMAL HEALTH PROTECTION ACT, R.S.Q. c.135, 1941; S.Q. 1942, c.42 (am.); S.Q. 1949, c.45 (am.)

"An Act respecting Animal Health Protection".

The Lieutenant Governor in Council is empowered to make regulations regarding the sale of diseased animals, ordering their burial or incineration, submitting diseased animals to quarantine or slaughter upon arrival in the province, ordering the segregation, treatment and marking of animals infected

or suspected of being infected with a contagious or parasitic disease, ordering the disinfection of buildings in which the animals have been kept, fixing the indemnity to be paid to owners of animals slaughtered under the provisions of the act and similar matters. The duties and powers of inspectors appointed under the act are specified. A separate division of the act deals with the inspection of stallions and requires every owner of a stallion intended for breeding to declare it to the Stallion Inspection Board annually, have it inspected and obtain a permit before it is used for service.

THOROUGHBRED CATTLE ACT, R.S.Q. c.136, 1941

"An Act respecting the Protection of Thoroughbred Cattle".

This act prohibits the owner or person in charge of a bull from allowing it to run at large. A penalty is provided for violation of this provision. Should a pure-bred cow become with calf from the service of a bull that is not kept confined, the owner of the cow may recover damages from the owner or person in charge of the bull. The act is to have effect within a municipality only when the council has passed a by-law stating that it shall apply to the municipality.

STOCK-BREEDING SYNDICATES ACT, R.S.Q. c.122, 1941

"An Act respecting Stock-breeding Syndicates".

Stock-breeding syndicates may be formed under this act as corporations. Their object is to breed and improve farm stock and for this purpose they may purchase, hire, breed and sell pure-bred stock, grant premiums for the keeping of brood animals and purchase all products and implements connected with the breeding, feeding and health of livestock. The act sets forth the organization of a syndicate, the election and powers of its directors and officers and similar matters. The property of a syndicate is exempt from all government taxes.

BEEES ACT, R.S.Q. c.137, 1941; S.Q. 1950-51, c.32 (am.)

"An Act respecting Bees".

Provision is made in this act for the inspection of bees believed to have a contagious disease, the treatment of bees and hives where contagious disease exists, including the destruction of bees, hives and accessories, the prohibition against importation of bees or used bee-keeping equipment unless they are accompanied by a certificate from the appropriate officer of the province or state of origin testifying that they are free from disease and the prohibition of sale of queen-bees unless accompanied by a certificate testifying that they are from an apiary that is free of disease. The act forbids the spraying of fruit trees in bloom with substances harmful to bees. It also prohibits the location of a hive of bees within 30 feet of a highway or dwelling in a rural municipality and 50 feet in a town or village unless a tight fence at least eight feet high and extending 15 feet beyond each end of the apiary is erected on the side facing the highway or dwelling.

VETERINARY SURGEONS' ACT, R.S.Q. c.269, 1941; S.Q. 1945, c.58 (am.)

"An Act respecting the College of Veterinary Surgeons of the Province of Quebec".

The College of Veterinary Surgeons is incorporated and all licensed veterinary surgeons of the province constitute its membership. No person shall practise veterinary surgery in the province unless he has obtained a license from the Board of Governors of the College. The act describes the composition and election of the Board of Governors and prescribes their powers, especially in regard to complaints against members of the College and against veterinarians.

O N T A R I O

HEALTH OF LIVESTOCK ACT, S.O. 1952, c.35

"An Act respecting the Health of Live stock".

The shipping of livestock or livestock products from an area which has been designated by the Lieutenant Governor in Council as an area of source of disease to livestock is prohibited unless the shipper has a permit for the purpose. Operators of community sale yards must have licenses from the Live Stock Commissioner. In addition to designating diseases and the areas of source of these diseases, the Lieutenant Governor in Council may make regulations providing for the inspection of livestock and livestock products, prescribing the manner of taking samples of livestock products, providing for the disposal of diseased livestock, prescribing the facilities for stabling, feeding, watering and caring for livestock at a community sale yard and the sanitary conditions of such a yard and similar matters.

STALLIONS ACT, R.S.O. c.370, 1950

A Stallion Enrolment Board is established to enrol stallions, issue enrolment certificates to owners of stallions and to appoint inspectors to examine stallions. No person is permitted to stand, travel or offer for service or sale any stallion unless it is enrolled under this act, nor is any service fee collectable unless the animal is enrolled. The Lieutenant Governor in Council is authorized to make regulations establishing and describing grades for stallions, dividing Ontario into two or more inspection divisions, designating the maximum interval that may elapse between inspections of stallions, prescribing fees for inspection and enrolment, providing for the payment of premiums to the owners of enrolled stallions or any breed or grade thereof and similar matters.

ARTIFICIAL INSEMINATION ACT, R.S.O., c.23, 1950

The Live Stock Commissioner shall be responsible to the Minister of Agriculture for the administration of this act. He shall be assisted by the Artificial Insemination Advisory Board. The Lieutenant Governor in Council may make regulations, among other matters, providing for the issue of licenses for the operation of artificial insemination centers and to technicians, prescribing minimum standards for such centers and

qualifications of technicians, providing for grants to centers and providing for certain records to be kept and information furnished by centers and technicians.

BRUCELLOSIS CONTROL ACT, S.O. 1953, c.10

"An Act respecting Brucellosis Control".

Upon receipt of a petition bearing the signatures of more than two-thirds of the cattle owners in any township, the council thereof must pass a by-law requiring all the female calves in the township to be vaccinated. The council must appoint a committee of five persons consisting of the chief inspector (Provincial Veterinarian), the district agricultural representative and three residents of the township, of whom two shall be cattle owners. This committee shall supervise the control of brucellosis and make reports and recommendations to the council. The council shall appoint veterinarians to carry out the vaccinations. Cattle owners are liable for the cost of vaccination of their female calves. The powers of veterinarians and inspectors are specified in the act. The Lieutenant Governor in Council is empowered to make regulations prescribing the vaccines to be used and the methods of vaccination, the ages within which female calves may be vaccinated by a veterinarian under an agreement with the township, prescribing the duties of inspectors and committees and providing for provincial grants to reimburse townships for part of the expenses they have incurred under this act.

WARBLE FLY CONTROL ACT, S.O. 1952, c.113; S.O. 1953, c.108 (am.); S.O. 1955, c.92 (am.)

Upon receipt of a petition signed by more than two-thirds of the cattle owners in a municipality, the council thereof must pass a by-law requiring that all cattle in the municipality be treated for warble fly. The council must appoint one or more inspectors to enforce the by-law and may purchase equipment and material for the treatment of cattle. Where a cattle owner does not treat his cattle or the treatment was not effective, the inspector may cause the cattle to be treated and charge the expense to the owner. The Lieutenant Governor in Council may make regulations defining the methods of treatment, designating the ingredients to be used, providing for the instruction of inspectors and prescribing their duties and providing for grants to be made by the Minister of Agriculture to reimburse municipalities for expenses they have incurred under this act.

DOG-TAX AND LIVE STOCK PROTECTION ACT, R.S.O. c.107, 1950

Provision is made for the taxing of dogs and any dog found off the premises upon which it is habitually kept, without a tag and not under the control of any person, may be killed. By-laws may be passed by municipal councils prohibiting or regulating the running at large of dogs and providing that such dogs may be seized, impounded or killed. Any person may kill any dog found killing or injuring cattle or sheep (a municipal council may include poultry to the amount of 50 pounds or more) or found in a township or village between sunset and sunrise straying from the

premises where it is habitually kept or found straying at any time and not under proper control upon premises where cattle or sheep are habitually kept. The municipality is liable for damage to cattle or sheep (or poultry) by dogs except where the live stock was running at large. The maximum amount of damage to a head of cattle which is recoverable is \$250 but there is no limit as to sheep. The amount paid in damages by the municipality may be recovered from the owner of the dog through any court of competent jurisdiction. The municipal council is required to appoint live stock valuers to assess damages to live stock by dogs.

LIVE STOCK BRANDING ACT, R.S.O. c.213, 1950

No person may brand live stock except with a brand allotted by the Minister of Agriculture and to which he is entitled under this act. The recording, renewal and transfer of brands are dealt with in the act, which also prescribes how the Live Stock Commissioner of the Department of Agriculture shall record brands and may publish lists of brands. Penalties are provided for violations of the act and a tariff of fees is appended.

POUNDS ACT, R.S.O. c.280, 1950

The owner or occupant of land is responsible for any damage caused by any animal under his charge as though such animal were his own property. Where there is no by-law in a provisional judicial district against animals running at large, damages are not recoverable in respect of injuries inflicted by horses, cattle, sheep or swine straying on land unless the animals have broken through or jumped over a fence that is in good repair and four and one-half feet high, though this does not apply to breachy or unruly animals. No bull over the age of ten months nor any swine may be allowed to run at large in any district not included in an organized municipality. In cities, towns, townships and villages this act applies except as it is varied by any by-law passed under the Municipal Act, Sec. 388, Subsection 1, paragraphs 3 to 6. The Pounds Act states the types of animals and the conditions under which these animals may be impounded, the procedure to be followed in recovering impounded animals and the duties of pound keepers. The act also provides for fence viewers to appraise damage caused by straying animals and to determine whether fences are lawful.

PROTECTION OF CATTLE ACT, R.S.O. c.294, 1950

It is forbidden to permit a bull to run at large and where a cow is got in calf by a bull running at large, the owner of the cow is entitled to recover full damages from the owner of the bull. Where in a county the number of purebred bulls is not less than 80 per cent of the total number of bulls in the county, the council may provide that the county is a "Better Bull Area". After the passage of the necessary by-law, no one may purchase or keep for public service or sell, except for slaughtering, any bull which is not purebred. Service fees shall not be collectable in a Better Bull Area for any bull which is not registered.

INJURED ANIMALS ACT, R.S.O. c.181, 1950

Where a horse is found so severely injured that it would be cruel to allow it to live, a constable or inspector of a humane society, with the

approval of a veterinary surgeon or, if one is not available, upon the signed statement of two reputable citizens, may kill the animal, even if the owner refuses his consent. The same procedure is to be followed where a horse is abandoned or left to die in the street or other public place. Where any large animal such as a horse, cow, sheep or hog is severely injured by any railway engine or train, the conductor of the train shall report the occurrence to the nearest station agent who shall notify the owner if possible and the nearest constable who shall proceed as outlined above.

HIGHWAY IMPROVEMENT ACT, R.S.O. c.166, 1950; S.O. 1951, c.33 (am.); S.O. 1952 (2nd), c.2 (am.); S.O. 1953, c.45 (am.); S.O. 1954, c.34 (am.); S.O. 1955, c.28 (am.)

Section 86(3) of this act prohibits persons permitting horses, cattle, swine or sheep to run at large within the limits of the King's Highway and provides penalties for violation of this subsection. However it is provided that this subsection does not create any civil liability on the part of the owner of horses, cattle, swine or sheep for damages caused to the property of others as a result of these animals running at large within the limits of the King's Highway.

WOLF AND BEAR BOUNTY ACT, R.S.O. c.427, 1950; S.O. 1951, c.94 (am.); S.O. 1954, c.106 (am.)

This act prescribes the conditions under which bounties may be paid for the killing of wolves and bears, the proof of killing required of the applicant, the disposal of the skins and similar matters. The act also requires persons who are in possession or control of live wolves or bears to obtain a permit from the Minister of Lands and Forests to keep them in captivity.

BEES ACT, S.O. 1954, c.4

This act deals with the ownership of swarms of bees that enter the premises of another person, provides for the appointment of a Provincial Apiarist and other officers including inspectors to administer and enforce the act, requires the destruction of diseased bees and their hives and equipment on order of an inspector, provides for the quarantine of bees in any area, requires beekeepers to obtain permits for the sale or removal of bees within the province (with certain exceptions) and to receive or transport bees obtained outside Ontario, prohibits the spraying of fruit trees during the period they are in bloom with a substance injurious to bees, prohibits the location of hives containing bees within 30 feet of a highway, dwelling or cultivated field unless separated by a hedge or solid fence of certain dimensions, and similar matters.

VETERINARY SCIENCE PRACTICE ACT, R.S.O. c.409, 1950

The Ontario Veterinary Association is established as a body corporate and is to consist of all persons duly qualified and registered to practise veterinary surgery. No person may practise veterinary surgery

for fees in Ontario without a certificate issued annually by the registrar of the Association to recognized graduates in veterinary science. The act deals with applications for certificates, cancellation of certificates, the conducting of courses in veterinary science outside the Ontario Veterinary College, restrictions on the use of the titles of "Veterinarian", "Veterinary" or "Veterinary Surgeon" and similar matters.

3. LAND POLICY

(a) Development, conservation, drainage and irrigation

Q U E B E C

DEPARTMENT OF LANDS AND FORESTS ACT, R.S.Q. 1941, c.92

"An Act respecting the Department of Lands and Forests".

This act gives the Minister of Lands and Forests general control over and management of the public lands of the province, including their sale, except for lands placed under the control of the Minister of Colonization.

"AN ACT TO ENLARGE THE ARABLE DOMAIN OF THE PROVINCE." S.Q. 1946, c.31

The Lieutenant Governor in Council may authorize the Minister of Agriculture to enter into an agreement with the federal government for the execution, in collaboration with the latter government, of a program of drainage works in the province. An amount not exceeding \$5,000,000 is authorized for the purpose.

DRAINAGE ACT, R.S.Q.. c.112, 1941; S.Q. 1942, c.14 sec. 9 (am.); S.Q. 1943, c.22 (am.); S. Q. 1949, c.41 (am.); S.Q. 1950, c.43 (am.)

A Drainage Bureau of two members may be established to institute a system for regulating drainage works in collaboration with municipal councils, interested persons and various governmental departments. The Bureau may make surveys for drainage construction. The act specifies how drainage projects are to be undertaken and costs apportioned and there is provision for arbitration.

MUNICIPAL CODE OF THE PROVINCE OF QUEBEC, 1950 amended to 1953-54 inclusive, Articles 499 to 593, inclusive

The three methods of opening, constructing, enlarging, altering or maintaining water-courses are by deed of agreement, by municipal by-law or by procès-verbal. The deed of agreement must be signed by the owners of at least three-fourths of the land subjected to the work done and is obligatory for those who have not signed it as well (Art. 502a). It must set forth the description and situation of the water-course, specifications of the work to be done, the mode of contributing to the work and a description of the lands which are to be subjected to the work (Art. 502). The deed must

be homologated by the municipal council or the board of delegates under whose direction the water-course lies and there is provision for a hearing for those persons who have not signed the agreement (Art. 503). The Municipal Code describes how work shall be ordered by the municipal council under by-law or procès-verbal and how it shall be done by the ratepayers themselves or by the municipality which will impose a special tax on real property to pay for the work. Provision is made for the appointment of municipal inspectors or divisional road inspectors to see that the provisions of law, by-laws or procès-verbal regarding water-courses are carried out (Art. 534) and to superintend all work of construction, repair and maintenance (Art. 538).

DEPARTMENT OF AGRICULTURE ACT, R.S.Q. c.111, 1941; S.Q. 1942, c.39 (am.); S.Q. 1944, c.24 (am.)

"An Act respecting the Department of Agriculture".

The amendment of 1944 to this act adds Part V concerned with the execution of drainage work. It permits the Minister of Agriculture upon the conditions fixed by the Lieutenant Governor in Council, to execute any drainage work ordered to be carried out under the Municipal Code or the Drainage Act if he is requested to do so by the municipal authority charged with the execution of such work. He may have the work done either under supervision or by contract. The expenses occasioned by the carrying out of this act shall be paid out of the moneys voted by the legislature. (For summary of the earlier portion of this act see under "Administration")

"AN ACT TO CONTRIBUTE TO THE ESTABLISHMENT OF AQUEDUCTS AND OF DRAINAGE SYSTEMS WITHIN RURAL MUNICIPALITIES." S.Q. 1947, c.58

The government is authorized to appoint an investigating committee to draw up a list of rural municipalities lacking aqueduct and drainage systems, assess the nature and cost of the work needed and the assistance required by each municipality to accomplish the work.

DRAINAGE IMPROVEMENT ACT, R.S.Q. c.225, 1941

"An Act respecting Loans by Municipalities for the Carrying out of Drainage Works".

This act is now inoperative. Most drainage works are carried out under the Municipal Code, Articles 499 to 593.

WATER-COURSE ACT, R.S.Q. c.98, 1941; S.Q. 1942, c.32 (am.); S.Q. 1944, c.22 (am.); S.Q. 1945, c.32 (am.); S.Q. 1947, c.38 (am.); S.Q. 1950, c.59 (am.)

"An Act respecting the Use of Water-Courses and the Driving of Timber".

Every owner of land may improve any watercourse bordering upon or running through his property and may construct works upon it such as flood-gates, embankments, dams and dykes. However, no such works may be built which affect either public property or the property of third persons or public or private rights unless the site and the works have been approved by the Lieutenant Governor in Council. The lease of the beds and banks of

navigable rivers and lakes and of the sea, the sea-shore and land reclaimed from the sea, all of which form part of the public domain, may be effected only with the express authorization of the Lieutenant Governor in Council.

O N T A R I O

PUBLIC LANDS ACT, R.S.O. c.309, 1950; S.O. 1951, c.71 (am.); S.O. 1952, c.86 (am.); S.O. 1953, c.88 (am.); S.O. 1955, c.66 (am.)

The Minister of Lands and Forests is given the power of managing, selling and disposing of the public lands and forests. The act describes how grants, sales and licenses of occupation are to be handled, how free grants may be made to former members of the forces and to actual settlers and the terms that must accompany such grants. The act also deals with reservations to the Crown of mineral, timber and water rights in public lands.

MUNICIPAL DRAINAGE ACT, R.S.O. c.246, 1950; S.O. 1954, c.59 (am.)

This act presents in detail how the persons in an area may petition for the construction of a drainage work, how the municipal engineer or surveyor shall assess the land to be affected and apportion the assessment, how owners may appeal the assessment if dissatisfied with the engineer's report, how the municipality may borrow the necessary sums to construct the drainage work, the procedure to be followed when a drainage work extends beyond the boundaries of one municipality and how the drainage work is to be maintained and improved, whether by the municipality or the owners of the lands benefitted.

MUNICIPAL DRAINAGE AID ACT, R.S.O. c.247, 1950

The provincial government is authorized to purchase municipal drainage debentures under the terms and within the amounts specified by this act. The procedure to be followed in the event of default in payment is also outlined in the act.

PROVINCIAL AID TO DRAINAGE ACT 1954, S.O. 1954, c.74

This act applies to the channels of a drainage work designed to drain agricultural land and to any work for the purpose of rendering a drainage work more effective by embanking or pumping or other mechanical means and the cost of the work is to include the cost of all pumping machinery. The act does not apply to covered drains such as storm sewers, sanitary sewers or sewer outlets or to lateral drains or to any drains into which domestic sewage is discharged. The council of a municipality may apply for a provincial grant towards the cost of the drainage work and, after a report on the proposed work has been made by an engineer of the Department of Public Works, a grant may be made. Where the work is in a county, 33 1/3 per cent of the cost of the work may be paid by the province and where the work is in a municipality in a territorial district

or provisional county, $66 \frac{2}{3}$ per cent of the cost, and where the work is in a territorial district but not in a municipality, 80 per cent of the cost. Any contribution in cash by the municipality is to be deducted before application of the above percentages. This act covers only drainage work to which the Municipal Drainage Act applies.

DITCHES AND WATERCOURSES ACT, R.S.O. c.105, 1950

This act applies only to ditches which are estimated to cost not more than \$2,500 and do not pass through more than seven original township lots (unless, upon petition by the owners of land affected by the ditch, the township council authorizes the extension through additional lots). Only owners of land lying within 150 rods of the sides and point of commencement of the ditch may be made liable for its construction. The act prescribes how the owner of land who requires construction of a ditch may proceed, how the engineer appointed by the municipal council is to examine the work in case no agreement with other land owners is reached, how costs are to be apportioned and how appeals against awards of costs may be made.

TILE DRAINAGE ACT, R.S.O. c.392, 1950

Within certain limits, a town, village or township may borrow money by the sale of debentures and lend the money so borrowed for the purpose of tile, stone or timber drainage for a term of ten or 20 years in sums of \$100 or multiples thereof to persons entitled to borrow. Loans may not be made to members of the municipal council. The amount loaned to any one person may not exceed \$3,000 for each 100 acres or fraction thereof nor 75 per cent of the total cost of the work. A council borrowing money under this act must employ a competent inspector of drainage who must report to council on each drainage work for which an application for a loan is made. The act deals with how applications for drainage loans are to be made, how the council shall levy the special rate on borrowers sufficient to recover the principal and interest and the method of collecting arrears of rates. Debentures issued under this act may be purchased for investment of any surplus of the Consolidated Revenue Fund of the province not exceeding in the whole at any time \$3,000,000.

INTERPROVINCIAL DRAINAGE ACT, R.S.O. c.185, 1950

This act authorizes the Ontario Minister of Public Works to enter into agreements with other provinces respecting drainage works which cross interprovincial boundaries and to order any municipality in Ontario in which lands affected by interprovincial drainage works are situated to pay a proportion of the cost of the works.

FIRE GUARDIANS ACT, R.S.O. c.139, 1950

This act is very seldom employed.

VACANT LAND CULTIVATION ACT, R.S.O. c.405, 1950

The councils of local municipalities may pass by-laws for granting permits to enable persons to use any vacant land in the municipality for cultivation purposes only. A permit may not be issued if the owner shows to the council's satisfaction that he requires the land during the current year for building or manufacturing or other revenue producing purposes. No compensation shall be paid to the owner on account of the exercise of the powers conferred by this act.

RURAL HOUSING ASSISTANCE ACT, S.O. 1952, c.92

"An Act to provide Financial Assistance in the Building of Houses in Rural Villages and Hamlets and in Other Rural Areas".

The Rural Housing Finance Corporation is incorporated under the Companies Act to lend and invest money on mortgage of real estate to provide financial assistance in the building of houses in rural villages and hamlets and in other rural areas. The Corporation may issue bonds, debentures or debenture stock which may be purchased by or guaranteed by the province. The Corporation may exercise its lending power independently or in co-operation with the Central Mortgage and Housing Corporation under the National Housing Act, (Canada) or with any corporation incorporated for similar purposes.

CONSERVATION AUTHORITIES ACT, R.S.O., c.62, 1950; S.O. 1954, c.10 (am.); S.O. 1955, c.7 (am.)

This act describes how a conservation authority may be established by request of the councils of any two or more municipalities wholly or partly within a watershed (an area drained by a river and its tributaries) to carry out a scheme for the conservation, restoration and development of natural resources (other than gas, oil, coal and minerals) and the control of water in order to prevent floods and pollution. Each conservation authority shall be a body corporate with borrowing power. The act deals with membership of the authority, its constitution, powers and duties.

SETTLERS' PULPWOOD PROTECTION ACT, R.S.O. c.358, 1950

Under this act a "settler" is a bona fide settler occupying lands under the Public Lands Act or engaged in agricultural pursuits involving the clearing and cultivation of land. The government may make regulations governing the sale and supply to any company of pulpwood cut by any settler or cut from his lands, fixing the kinds and quantities of pulpwood which may be purchased by any company within a period and fixing the prices to be paid by any company to any settler for pulpwood cut on settlers' lands and controlling the method of measuring the pulpwood.

(b) Settlement

Q U E B E C

COLONIZATION ACT, R.S.Q. c.103, 1941; S.Q. 1944, c.23 (am.)

"An Act respecting the Department of Colonization".

The office of Minister of Colonization is established. The Minister is to have control over colonization, the classification and sale of colonization lands placed under his control, colonization societies receiving government grants and colonization works and roads. He may acquire lands and establish settlers, farmers and farmers' sons on them. The amount paid for any one parcel of land must not exceed \$1,000 or more than 33 1/3 per cent of the municipal valuation. Provision is also made for an annual fund of \$50,000 to be devoted to the payment of a portion of the interest on loans made to settlers by co-operative syndicates and to the payment of premiums on insurance policies assigned as security for such loans.

COLONIZATION LAND SALES ACT, R.S.Q. c.104, 1941; S.Q. 1942, c.37 (am.)

"An Act respecting the Administration and Sale of Colonization Lands".

The Minister of Colonization is to have charge of the administration and sale of the colonization lands put under his control by the Lieutenant Governor in Council. The general agent may sell lands suitable for cultivation upon certain conditions, e.g. the person acquiring them before he may be issued letters patent, must clear and place in a good state of cultivation in one block at least 30 acres (of which at least five acres is arable), in every 100 acres and clear each year three acres and not more than five acres in every 100 acres, unless authorized to clear more. No timber shall be cut before the issue of letters patent except for clearing, firewood or building and fencing purposes. Also, by regulation, the settler must build a house and reside on the land. Where a person has purchased or is permitted to occupy any public land, he may be issued with a "location ticket". The holder of a location ticket may maintain suits at law against any wrong-doer or trespasser as effectually as he could do under a patent from the Crown. No lot sold or otherwise granted for colonization purposes after March 15, 1933, may, before the issuing of the letters patent, be sold by the holder of the location ticket or otherwise alienated, except by donation in a marriage contract or by will in favor of a relative or by abintestate succession or by will in favor of a consort. No person shall obtain letters patent for more than 300 acres of land for colonization purposes, by means of transfer from the original purchaser or grantee or from the assigns of the original purchaser or grantee, but this does not apply to the case in which lots have passed by abintestate succession, or by will, or by judicial sale, or by sale for municipal or school taxes, to those who apply for the letters patent. The Minister of Colonization may pay colonization premiums, out of moneys voted by the Legislature, to encourage settlers to clear their lots and plough them and reside thereon. The Lieutenant Governor in Council may adopt regulations determining the conditions to be fulfilled in order to earn such premiums.

COLONIZATION LAND ACQUISITION ACT, R.S.Q. c.106, 1941

"An Act for the Acquiring of Certain Lands for Colonization Purposes".

This act provides for the Minister of Colonization to acquire territory by purchase or exchange. Expropriation may be employed if necessary. The land so acquired is to be used for colonization.

COLONIZATION SOCIETIES ACT, R.S.Q. c.107, 1941

"An Act respecting Colonization Societies".

Nine or more persons in the province who have obtained the approval of the competent ecclesiastical authority of the religious denomination to which they belong may form a colonization society for the purpose of promoting the establishment of settlers on Crown lands, to attract immigrants and to restore to the province those who have emigrated, to open roads through the wild Crown lands and aid the government and municipalities in this, to direct settlers and immigrants towards the localities assigned to them, to provide settlers with seed grain, provisions and implements and to diffuse information of a nature to extend colonization. The methods of forming such societies, their duties and powers are outlined and provision is made for a federation of colonization societies.

COLONIZATION PROMOTING AND RETURN TO THE LAND ACT, R.S.Q. c.105, 1941

"An Act to Promote Colonization and the Return to the Land".

This act is now inoperative.

COLONIZATION ROADS ACT, R.S.Q. c.108, 1941

"An Act respecting Colonization Roads".

The Lieutenant Governor in Council may designate as colonization roads such roads as he may deem it advisable to open or improve wholly or in part at the expense of the province. The roads, bridges and other works so constructed or improved shall be maintained by the municipalities in which they are located in the same manner as all other roads and bridges.

SOLDIERS SETTLEMENT ACT, R.S.Q. c.109, 1941

"An Act respecting the Settlement on Crown Lands of Soldiers who have served in the War of 1914-1918".

The Lieutenant Governor in Council may set aside land for settlement by soldiers of the war of 1914-18. Such land shall be granted free or be put at the disposal of the "Soldier Settlement Board" of Canada to be gratuitously conveyed to these soldiers. The conditions attached to these land gifts are outlined in the act.

"AN ACT TO ORGANIZE COLONIZATION ACCORDING TO PROGRESSIVE AND RATIONAL METHODS". S.Q. 1945, c.33; S.Q. 1949, c.39 (am.); S.Q. 1950, c.62 (am.) S.Q. 1950-51, c.14 (am.); S.Q. 1952-53, c.27 (am.); S.Q. 1953-54, c.49 (am.)

Under this act the Minister of Colonization, with the authorization of the Lieutenant Governor in Council, may, among other things, make a

census of the human resources available for colonization and prepare a colonization plan, provide for the general organization of colonies and parishes from a religious, economic, social and family point of view, carry out the work necessary to open up and clear the land suitable for the purpose, build roads, bridges, dwellings and other buildings, provide drainage, organize farming services and grant subsidies to colonization societies and settlers. A maximum sum of \$16,000,000 is authorized for the project and the original time limit of four years from 1945 has, by successive amendments, been extended to eleven years.

PIONEERING MERIT ACT, S.Q. 1950, c.7

"An Act to establish the Order of Pioneering Merit".

The Order of Pioneering Merit is instituted to encourage healthy emulation among settlers in the pioneering of new lands and to recognize services rendered to the progress of colonization.

The following distinctions may be awarded:

(a) The title of Commander of the Order of Pioneering Merit, with the diploma of "merit with exception distinction".

(b) The title of Officer of the Order of Pioneering Merit, with the diploma of "distinguished merit".

(c) The title of Knight of the Order of Pioneering Merit, with the diploma of "great merit".

(d) The diploma of "merit".

(c) Tenure and Assessment

Q U E B E C

SETTLERS PROTECTION ACT, R.S.Q. c.110, 1941

"An Act respecting the Protection of Settlers".

Public lands granted to a bona fide settler and the improvements made and buildings erected thereon, shall not be pledged or hypothecated so long as letters patent are not issued therefor. and they are exempt from seizure or execution for debt except for the price of such lands, payment of municipal or school taxes, costs of road work and assessments for the building of churches, parsonages or cemeteries. Within three months after the issue of letters patent to a person granted public lands, that person may select up to one hundred acres of such land and register it as his homestead. The homestead is then exempt from seizure. The following chattels of a settler or of his widow or of their children are exempt from seizure for a period up to 15 years after obtaining the letters patent: certain items of household furnishings enumerated in the act, all necessary fuel, meat, fish, flour and vegetables sufficient for him and his family for three months, seed grain necessary to sow his land, two draught horses

or oxen, ten other head of horned cattle, six sheep, five pigs, all the poultry, and the grain and other forage intended for the support or fattening of such animals or poultry, farm vehicles and implements of agriculture and the building materials intended to be employed in the construction of or repairs or improvements to the buildings and mills on the land. The owner of a homestead may alienate the same without the consent of his wife.

O N T A R I O

ASSESSMENT ACT, R.S.O. c.24, 1950; S.O. 1951, c.4 (am.); S.O. 1952, c.3 (am.); S.O. 1953, c.6 (am.); S.O. 1954, c.3 (am.); S.O. 1955, c.4 (am.)

Section 4 (18) of this act provides that one acre used for forestry purposes or being woodlands for every ten acres of the farm in one municipality under a single ownership but not more than 20 acres in all shall be exempt from property taxation. (For a summary of Section 4 (19) of this act see under "Co-operatives".)

LAND TITLES ACT, R.S.O. c.197, 1950; S.O. 1951, c.43 (am.); S.O. 1952, c.49 (am.); S.O. 1953, c.54 (am.); S.O. 1954, c.43 (am.)

Registration of title to land is the subject of this act. It describes the methods of entry of land on register of title, deals with registration of leasehold land, describes how registration is to be effected, deals with transfer and charge of registered land and similar matters.

REGISTRY ACT, R.S.O. c.336, 1950; S.O. 1951, c.78 (am.); S.O. 1952, c.91 (am.); S.O. 1954, c.83 (am.); S.O. 1955, c.70 (am.)

This act provides for the formation of registry divisions in the province and for the registration of instruments affecting land in the province. Provision is made for the manner of registration, instruments that may be registered and the effect of registration.

PETTY TRESPASS ACT, R.S.O. c.275, 1950; S.O. 1954, c.69 (am.)

This act provides penalties for persons who trespass upon enclosed land or any garden or lawn or land with respect to which they have had notice by word of mouth or in writing or by posters or sign boards. The act does not apply to cases where the title to land or to any interest therein is called in question or where the person trespassing acted under a reasonable supposition that he had a right to enter the other person's property.

LINE FENCES ACT, R.S.O. c.209, 1950

This act prescribes the duties of owners of adjoining lands regarding the erection and repair of line fences, outlines the procedure to be followed in disputes between owners concerning such fences and

provides for the appointment of municipal fence viewers. The act also deals with the rights and duties of owners when a tree is thrown down across a line fence.

LANDLORD AND TENANT ACT, R.S.O. c.199, 1950

Sections 43, 44 and 45 of this act list types of farm property liable to be distrained for arrears of rent. These include growing crops; any sheaves or cocks of grain or grain loose or in the straw or hay; and any cattle or live stock of the tenant feeding or pasturing upon any highway or on any way belonging to the demised premises. However, beasts that gain the land and sheep shall not be distrained if there are other chattels sufficient to satisfy the demand. The act, in general, deals with such matters as defects of leases, forfeiture of leases, methods of procedure against tenants for arrears of rent, sale of goods distrained and proceedings against overholding tenants.

4. FINANCE

(a) Farm Credit

Q U E B E C

QUEBEC FARM CREDIT ACT, R.S.Q. c.113, 1941; S.Q. 1942, c.40 (am.); S.Q. 1944, c.25(am.); S.Q. 1947, c.44 (am.); S.Q. 1950, c.63 (am.); S.Q. 1950-51, c.31 (am.); S.Q. 1951-52, c.43 (am.); S.Q. 1952-53, c.5 (am.)

"An Act establishing Provincial Farm Credit".

The Quebec Farm Credit Bureau is established with the rights and powers of a corporation. The Bureau borrows money directly from the Provincial Treasury and makes loans to both established farmers and young farmers. The act outlines the conditions under which loans may be made, the terms and interest rate of loans, provisions for repayment and the nature of the security required. Originally the Bureau could borrow and lend up to \$46,000,000 to farmers, but the following acts have been passed increasing the total until at July 1, 1955 the total amount was \$130,000,000: S.Q. 1947, c.43; S.Q. 1948, c.21; S.Q. 1949, c.42; S.Q. 1950, c.5; S.Q. 1950-51, c.10; S.Q. 1951-52, c.5; S.Q. 1952-53, c.6; S.Q. 1953-54, c.4; S.Q. 1954-55, c.3.

QUEBEC FARM LOAN ACT, R.S.Q. c.114, 1941; S.Q. 1950-51, c.45 (am.);

"An Act respecting Farm Loans".

A provision of this act that the provincial government would pay the difference, up to three per cent, between the interest charged by the Canadian Farm Loan Board and three per cent, was repealed in 1950 but the provision still applies to loans contracted before November 8, 1950.

MUNICIPAL SEED PURCHASE ACT, R.S.Q. c.245, 1941

"An Act relating to the Aid that may be Granted by Certain Municipalities for the Purchase of Seeds and Seed Grain".

This act is now inoperative.

O N T A R I O

JUNIOR FARMER ESTABLISHMENT ACT, S.O. 1952, c.45

"An Act to incorporate The Ontario Junior Farm Establishment Loan Corporation for the Purpose of Assisting Young Farmers".

The Ontario Junior Farmer Establishment Loan Corporation is incorporated for the purpose of making loans to assist young qualified farmers in the establishment, development and operation of their farms. The corporation may borrow by issuing debentures, treasury bills or notes or by temporary loans. The debentures, bills, notes and loans may be guaranteed by the province. The corporation makes loans to persons who are between the ages of 21 and 33, who have been residents of Ontario for at least the preceding three years, who have had a minimum of three years of farming experience and have displayed the capacity and ability to operate a farm, who are industrious and of good character and who are actually farming or intend to farm on a full-time basis on the land which is to be security for the loan. The loans may be used for the acquisition of land for agricultural purposes, the erection and improvement of farm houses and buildings, to pay off charges and encumbrances and to consolidate outstanding liabilities incurred for productive agricultural purposes, to provide drainage, to purchase live stock and for other approved purposes. The loan must not exceed 80 per cent of the value of the security or \$15,000 and it must be secured by a first mortgage upon the farm land of the borrower. The loan is to be repaid in annual instalments of principal and interest over a period of not more than 25 years.

AGRICULTURAL DEVELOPMENT ACT, R.S.O. c.10, 1950

The office of Commissioner of Agricultural Loans is continued. This officer may borrow money, with the approval of the Lieutenant Governor in Council and under certain conditions, and out of the moneys received make loans for acquiring land for agricultural purposes, for the erection of farm buildings, to pay off existing charges against land or other encumbrances, to provide tile drainage, to purchase breeding live stock, to consolidate outstanding liabilities incurred for agricultural purposes and for such other purposes relating to the development and operation of the applicant's farm as the Commissioner approves. The act deals with the qualifications of applicants for loans, limitations as to loans, the terms of loans and method of repayment.

FARM LOANS ACT, R.S.O. c.127, 1950

No loans have been made under this act for a considerable time.

SEED GRAIN SUBSIDY ACT, R.S.O. c.354, 1950

This act is now inoperative.

EXECUTION ACT, R.S.O. c.120, 1950

The following chattels are exempt from seizure under any writ issued out of any court in addition to certain household furniture and equipment and wearing apparel; such food as is necessary for consumption by the debtor and his family until the next harvest, whether the food is in a consumable state or requires to be processed; such fuel as is within the debtor's home; live stock, fowl, bees, books, tools and implements and other chattels actually in use by the debtor in his calling to the extent of \$600; and, in the case only of a farmer, sufficient seed to sow all his land under cultivation, not exceeding 100 acres, 14 bushels of potatoes and, where seizure is made between October 1 and April 30, such food and bedding as is necessary to feed and bed the live stock and fowl which are exempt from seizure until the last day of the following April. The act contains a number of provisions specifying how seizures are to be made.

(b) Debt Adjustment

O N T A R I O

FARM LOANS ADJUSTMENT ACT, R.S.O. c.128, 1950

Any person who is liable for the payment of a loan made under the Agricultural Development Act, the Farm Loans Act or the Northern Development Act for agricultural purposes may apply to the Commissioner of Agricultural Loans to have the loan reviewed by a judge for the purpose of obtaining a reduction in the amount of the principal outstanding, a reduction in the amount of the arrears of interest and an extension of the time for the payment of the loan. After considering the representations of the applicant and the Commissioner and certain factors specified in this act, the judge shall make an order concerning the matter, which shall be final. A subsequent application for review may be made after the expiration of a period of two years from the date of an order made upon a previous application.

5. MARKETING

(A) General

Q U E B E C

AGRICULTURAL PRODUCTS ACT, R.S.Q. c.132, 1941

"An Act respecting the Grading and Sale of Agricultural Products".

Agricultural products in this act include any produce of animal or vegetable origin with the exception of canned food and aquatic animals. The Lieutenant Governor in Council is given authority to designate the products to which the act shall apply, regulate the sale, display, possession

and transportation of such products within the province, prescribe grades and the shape, size and capacity of containers, regulate the marks and descriptions on labels and containers and describe the formalities required for sampling, seizure and confiscation of products. Inspectors may be appointed to carry out the provisions of the act and they are to have powers of entry and search, seizure and confiscation. Penalties are provided for infractions of the act or of the regulations made under it.

"AN ACT TO AID THE SALE OF AGRICULTURAL PRODUCTS". R.S.Q. c.133, 1941

The Lieutenant Governor in Council, upon the recommendation of the Minister of Agriculture is given a general power to take such measures as he may deem appropriate, within constitutional limits, to promote the improvement of the growing, distributing and marketing of agricultural and other natural products. For these purposes he may enter into agreement with any person, partnership, corporation, institution, government or governmental body, secure the advantages of a marketing organization for farm and other natural products and form a council for organizing the market for natural products charged, under the Minister of Agriculture, to co-operate with any similar body of the federal authority.

CANNED FOODS ACT, R.S.Q. c.140, 1941

"An Act respecting Canned Foods".

Canned foods include foods which have been heated, cooked, preserved, condensed, evaporated, dehydrated, dried or otherwise processed and are placed in any closed can, bottle, package or container. No person shall make canned goods commercially without possessing a license granted by the Minister of Agriculture. The Lieutenant Governor in Council may make regulations prescribing standards of quality and the mode of preparing, grading and inspecting canned foods and foods intended for canning, prescribing the standard sizes of containers and providing for the confiscation of food unfit for consumption or not meeting the prescribed standards. Inspectors may be appointed to enforce the act.

"AN ACT RESPECTING SEASONAL AGRICULTURAL PRODUCTS". S.Q. 1948, c.22

A committee is to be appointed by the government to study modern methods of cultivation and conservation of food products of a seasonal character. In particular it is to study the most economical and practical methods of spreading the growing period of products by means of hot-houses and similar processes, by heating electrically or otherwise green-houses and similar installations, by preserving products by refrigeration and similar methods and by establishing, with government aid, the best possible system of development and conservation of products according to the technical processes recommended by the committee.

"AN ACT RESPECTING THE CONSTRUCTION OF A CENTRAL MARKET FOR AGRICULTURAL PRODUCTS, IN THE METROPOLITAN REGION OF MONTREAL", S.Q. 1950-51, c.16.

"AN ACT TO AID IN THE ESTABLISHMENT OF A CENTRAL MARKET FOR AGRICULTURAL PRODUCTS AT MONTREAL". S.Q. 1951-52, c.11

These acts authorize the government to constitute a controlling body for the establishment, maintenance and administration of a central market for agricultural products at Montreal, after agreement with the city of Montreal and the Greater Montreal Central Market Co. Ltd. and to contribute subsidies and grants to this body or the Greater Montreal Central Market Co. Ltd. for this purpose.

"AN ACT RESPECTING AGRICULTURAL LEGISLATION PROBLEMS". S.Q. 1951-52, c.7; S.Q. 1952-53, c.26 (am.); S.Q. 1953-54, c.50 (am.); S.Q. 1954-55, c.22 (am.)

By this act a committee may be constituted to study the problems relating to the production, sale and distribution of agricultural products and to the protection of the respective legitimate interests of farmers and consumers. The particular problems to be studied are specified in the act. The 1954-55 amendment requires the committee to submit its report by October 1, 1955.

O N T A R I O

FARM PRODUCTS MARKETING ACT, R.S.O. c.131, 1950; S.O. 1951, c.25 (am.); S.O. 1953, c.36 (am.); S.O. 1954, c.29 (am.); S.O. 1955, c.21 (am.)

The corporation known as the Farm Products Marketing Board is continued. Provision is also made for the creation of local boards to whom the Marketing Board may delegate certain specific powers and these boards are also corporations. The act offers any producer commodity group a choice of two forms of organization in developing a marketing plan for any farm product: (1) by group bargaining machinery under Section 3 of the act and (2) by a marketing agency or single sales agency corporation under Section 7 of the act.

In the first type of scheme, a negotiating committee of equal numbers of producers and buyers, dealers or processors of the regulated product is appointed and it is empowered to negotiate minimum prices and terms and conditions of purchase and sale to apply to the product in each year. If the committee reaches agreement the Board issues an order approving the agreement, after which it is binding on the group. If the committee cannot reach agreement a board of arbitration is appointed and an agreement reached by a board of arbitration is final upon approval by the Farm Products Marketing Board. Any setting of prices is done by the industry through negotiations or arbitration, not by the Farm Products Marketing Board. To carry out this type of scheme the Board may delegate any

or all of the following powers to local boards:

- (a) the right to establish price negotiating agencies and adopt or determine minimum prices, terms of purchase and sale and handling, transporting, storage and selling charges for any regulated product,
- (b) the right to require persons engaged in the producing or marketing of a regulated product to register their names, addresses and occupations with the local board,
- (c) the right to exempt any persons or class of persons from any scheme or any order of the board,
- (d) the right to inspect the books and premises of any person engaged in the marketing of any regulated product,
- (e) the right to require the furnishing of proof of financial responsibility by any person engaged in the marketing of a regulated product,
- (f) the right to prohibit the marketing of any grade or size of any regulated product,
- (g) the right to co-operate with similar producer local boards of other provinces by marketing co-operatively or otherwise.

The alternative type of scheme provides that by regulations approved by the Farm Products Marketing Board under Section 7(1) of the act, a private or co-operative corporation selected or organized by a local board administering a marketing scheme may be appointed as its marketing agency. This appointment may confer wide authority on the agency, i.e. it may direct and control the marketing of the regulated product including the time and place at which it may be marketed and the quantity, grade and class that may be marketed by any producer or prohibited from being marketed. It may fix the price or prices that shall be paid to producers for any regulated product and it may impose charges for its services. It shall receive the moneys realized from the sale of the regulated product, pay the producers concerned and make a proper accounting of all transactions.

PUBLIC HEALTH ACT, R.S.O. c.306, 1950; S.O. 1951, c.70 (am.); S.O. 1952, c.84 (am.); S.O. 1953, c.87 (am.); S.O. 1954, c.76 (am.); S.O. 1955, c. 65 (am.)

Section 5, subsection(ze) of this act provides that the Minister of Health, with the approval of the Lieutenant Governor in Council, may make regulations regarding the pasteurization of milk and prescribing the form and conditions under which a certificate of approval may be issued to any plant in which milk is pasteurized or in which milk products are prepared. Section 100 gives the municipal medical officer of health power to inspect dairies, cheese factories, creameries, dairy farms, slaughter houses, and similar establishments and, if necessary, order the owner or

occupier to remedy unsatisfactory conditions. He may prohibit or regulate the distribution or sale of any products from the premises until the conditions are remedied. Section 100 forbids the sale of unpasteurized milk, except in certain cases. Section 114 provides for the inspection by the medical officer of health of food supplies of all kinds and authorizes seizure and destruction of food not fit for human consumption. It requires manufacturers of carbonated water, soft drinks and fruit juices to obtain permits from the medical officer of health. Section 115 forbids the feeding of putrid or decomposed animal matter to hogs. Section 116 forbids the cooking of garbage except on premises approved by the medical officer of health. Section 117 provides for the inspection of slaughter houses and Section 118 forbids the selling of the meat of calves that were less than three weeks old at the time of slaughter. Sections 119 to 122 inclusive provide for the regulation by municipalities of slaughter houses, cattle pens, abbatoirs and meat-packing establishments. Schedule B, which is appended to this act, is a by-law which is deemed to be in force in every municipality until it is altered by the municipal council. Among other matters, it prescribes the duties of sanitary inspectors regarding the examination of buildings or premises and inspection of slaughter houses, cow stables, cheese factories and creameries, prescribes the location of slaughter houses and forbids the sale of diseased food.

MUNICIPAL ACT, R.S.O. c.243, 1950; S.O. 1951, c.53 (am.); S.O. 1952, c.63 (am.); S.O. 1953, c.70 (am.); S.O. 1954, cc.56 and 57 (am.); S.O. 1955, c.48 (am.)

Section 410(1)(a) of this act provides that no municipal hawkers or peddlers license is required if, among other things, the goods or merchandise were grown or produced in Ontario and are hawked, peddled or sold by the grower or producer or employee having written authority to do so in the municipality in which the grower or producer resides or if the goods or merchandise were grown or produced by a farmer resident in Ontario who offers for sale or sells only the produce of his own farm. (For summary of Section 310 of this act see under "Agricultural Societies and Education.")

(b) Grains, feeds and seeds

O N T A R I O

CLEAN GRAIN ACT, R.S.O. c.55, 1950

All grain brought into Ontario before being sold must be clean and free from weed seeds and other impurities and the same applies to grain sold in Ontario. The Lieutenant-Governor in Council is empowered to designate the plants the seeds of which shall be weed seeds within the meaning of the act, designate the substances which shall be regarded as impurities, prescribe the maximum quantity of weed seeds or impurities which may be contained with grain and provide for the inspection, sampling and testing of grain to which this act applies.

(c) Livestock and livestock products

Q U E B E C

DAIRY PRODUCTS ACT, R.S.Q. c.126, 1941; S.Q. 1947, c.46 (am.); S.Q. 1950, c.64 (am.)

"An Act respecting Milk and Dairy Products".

This act sets forth the standards required for milk to be sold in the province. It provides that establishments which receive milk or cream to be sold in its natural state or to be converted into butter, cheese, condensed milk, milk powder, ice cream or other dairy product must be licensed and subject to inspection. Every such establishment must engage the services of a qualified milk tester. Every milk dealer must furnish a guarantee for the payment of sums he owes or may owe to his producer-suppliers. The Dairy Industry Commission is established and is empowered, among other things, to supervise and control the manner of purchasing, transporting, handling, preparing, storing, delivering, selling and distributing milk and cream; to approve any price agreements between producer-suppliers, milk dealers or distributors of dairy products and make these agreements binding upon all such persons within the territory mentioned; to fix the price of milk or cream; and to establish or authorize the establishment of receiving centers for milk or cream. The commission may impose a levy not exceeding one-half cent per hundred pounds of milk to be deducted by distributors in the designated territory from the fixed price paid to suppliers and remitted to the Commission. The amounts so received are to be paid in part to associations of producers pro rata on a basis of their membership and the balance is to be used to promote the consumption of milk. The act outlines the rights and duties of inspectors appointed to enforce the act. The Lieutenant Governor in Council may make regulations for determining the conditions of permits, determining the minimum fat content of cream and the maximum acidity and prohibiting the use of preservatives and neutralizers, everything connected with the transportation of milk or cream and the permissible hours of transportation, fixing the conditions of construction, installation and equipment of every dairy plant, regulating the methods of manufacture of dairy products, determining everything connected with the payment for milk and cream by a dairy plant, compelling every plant to keep accounts in the form prescribed and inspecting them, defining the boundaries of the supplying zones for each factory and restricting the transportation of milk or cream to these defined zones. Other regulations may be made assuring the sanitary and hygienic condition of milk and cream and regulating the use of the words "pasteurized" or "certified" in the naming of milk or its derivatives.

"AN ACT RESPECTING THE PRICE OF MILK AND CREAM". R.S.Q. c.127, 1941

No milk dealer or distributor may sell milk or cream within a designated area of the province at a price below a purchase price fixed by the Dairy Industry Commission for that area. Penalties are provided for infractions of the act.

"AN ACT TO PROTECT THE DAIRY INDUSTRY IN THE PROVINCE OF QUEBEC". S.Q.
1953-54, c.6

The manufacture, sale, offering for sale and possession of any dairy product substitutes, in the manufacture of which vegetable oils or fats have been used, are prohibited in the province.

DAIRY ASSOCIATION ACT, R.S.Q. c.124, 1941

"An Act respecting the Dairy Association of the Province of Quebec".

This act is now inoperative.

BUTTER AND CHEESE EXCHANGES ACT, R.S.Q. c.130, 1941

"An Act respecting Butter and Cheese Exchanges".

This act is now inoperative

QUEBEC PUBLIC HEALTH ACT, R.S.Q. c.183, 1941

"An Act respecting the Provincial Bureau of Health".

Sections 71 to 80 inclusive of this act are concerned with the purity of food and drink. There is a general prohibition against the sale of unwholesome food. The method of pasteurizing milk and cream is prescribed and provision is made for the approval by the Minister of Health of pasteurizing plants and their methods of operation. Upon failure to comply with an order of the Minister, the latter may close the plant. Medical examination of workers in pasteurizing plants and butter or cheese factories is required and no germ carriers may be employed in handling milk or milk products. Provision is made for the inspection of food by municipal sanitary authorities and the seizure of any food that would be injurious to health. There is also to be inspection by municipal sanitary authorities of dairies, stables, cowsheds, butcher shops, slaughter houses, butter factories, cheese factories and all other establishments where food is prepared for sale.

O N T A R I O

LIVE STOCK AND LIVE STOCK PRODUCTS ACT, R.S.O. c.212, 1950; S.O. 1954,
c.46 (am.)

In this act livestock means cattle, swine, sheep and live poultry and live stock products means meat, raw hides, dressed poultry, eggs and wool. The Lieutenant Governor in Council is empowered to make regulations establishing and describing grading standards for live stock and live stock products, prescribing the manner and conditions of grading, packing, branding and marking and the conditions under which live stock and live stock products may be stored, transported, delivered, shipped, advertised, purchased, sold, offered or displayed for sale and the types, sizes, branding and marking of containers, prescribing the manner in which the seller or shipper of ungraded livestock and livestock products shall identify individual

producers' lots in any shipment and how receivers shall make returns, prescribing the grades of eggs which may be broken or dried in an egg-breaking plant, prescribing the manner in which stock yards shall be constructed, equipped and operated, providing for the licensing of classes of persons dealing in any livestock or livestock product and numerous similar matters. The act also outlines the powers of inspectors appointed to enforce the act and regulations made under it and the procedure to be followed in disposing of seized live stock or live stock products.

STOCK YARDS ACT, R.S.O. c.376, 1950

The Ontario Stock Yards Board is continued as a body corporate with the object of acquiring, constructing, equipping and operating live-stock markets and operating such facilities as are necessary for the purposes of such markets. Subject to the approval of the Lieutenant Governor in Council, the Board may acquire by purchase or lease, with or without the consent of the owner, the land, property and assets of Union Stock Yards of Toronto, Limited, any other stockyards and any other land or property which it may require for its undertakings. Provision is made for the guarantee by the province of any securities issued by the Board. Surpluses of the Board are to be paid into a fund to be known as the Live Stock Improvement Fund, payments from which shall be available for the purposes of the improvement of live stock. No person other than the Board may construct, maintain or operate any stock yard or any premises where live stock is assembled for the purpose of sale to an abattoir, packing house or slaughter house, without the approval of the Board, but this does not apply to any stock yard or premises so operated on May 12, 1944, so long as such stock yard or premises is not extended or enlarged.

MILK INDUSTRY ACT, S.O. 1954, c.52

"An Act respecting the Milk Industry".

In this act "fluid milk" means milk and includes cream, and "milk products" means cream, butter, cheese, condensed or evaporated milk, milk powder, dry milk, ice cream, casein, malted milk and sherbet. The act provides for a corporation called the Milk Industry Commission of Ontario which may inquire into the producing or marketing of milk or the manufacture or marketing of milk products and make recommendations to local boards and producers' associations or agencies with respect to the production or marketing of milk. With the approval of the Lieutenant Governor in Council, the Commission may make regulations respecting the health of cows, the quality of milk and the sanitary conditions of cows, premises and equipment and prohibiting the sale of milk by producers that is not produced in accordance with the regulations. The act also provides for a Dairy Commissioner to supervise the administration and enforcement of the act. It also provides for the Milk Producers' Co-ordinating Board which is to be a body corporate and has power to co-ordinate, stimulate and improve the production and marketing of milk and milk products, to provide facilities for the handling of any phase of the marketing of milk and to receive contributions from local boards, producers' associations and marketing agencies.

Sections 9 to 24 deal with the marketing of fluid milk and continue the Milk Control Board of Ontario as a body corporate whose powers include the arbitration of disputes between or among producers, transporters and distributors of fluid milk; prohibiting distributors from compelling producers to invest in dairy plants to obtain a sale for their milk; prohibiting distributors from terminating without just cause the purchase of milk from producers or producers from terminating the sale of milk to distributors; revoking or suspending licenses and, after a public hearing, prescribing maximum prices at which fluid milk may be sold by wholesale or retail in any market. These sections deal with the creation of marketing agencies in local markets and prescribe their powers and duties. The producers or distributors in any market may require, in the case of producers, the distributors to whom they sell milk and in the case of distributors, the producers from whom they buy milk, to bargain collectively to determine prices, to prescribe the terms and conditions relating to sales and purchases and to fix quotas. Similar collective bargaining may be required between producers and transporters. This part of the act also provides for the establishment of a fund for producers' associations for such purposes as the Milk Producers' Co-ordinating Board recommends. Section 22 lists a large number of regulations which the Board may make.

Sections 25 to 43 deal with the marketing of milk products. They establish the Milk Products Board of Ontario which is given powers in the field of milk products somewhat similar to those which are given to the Milk Control Board in the field of fluid milk. The Milk Products Board may delegate any of its powers to a local board. It may authorize marketing agencies for milk products and approve marketing plans and, in connection with any marketing plan, establish negotiating agencies to determine by agreement or award minimum prices for milk or cream for manufacture into a regulated product or for any regulated milk product, terms of purchase and sale, marketing charges and forms of contracts and conditions for the purchase and sale of cream or milk for manufacture into a regulated milk product and for the purchase and sale of any milk product. This portion of the act also deals with the construction and operation of milk products plants including their inspection, and provides for the establishment of regulations respecting standards of quality and composition of milk products.

Sections 44 to 49 of the act permit municipal councils to pass by-laws regulating and licensing vendors of milk and to appoint inspectors to enforce these by-laws.

OLEOMARGARINE ACT, R.S.O. c.259, 1950; S.O. 1951, c.61 (am.)

Every keeper of a public eating place where oleomargarine is served as such must display a notice to that effect on the menu or on a placard conspicuously displayed. Oleomargarine and butter must not be mixed for sale or for use in a public eating place. No oleomargarine is to have a tint containing more than one and sixth-tenths degrees of yellow or of yellow and red collectively. Every package containing oleomargarine must be legibly marked with the word "oleomargarine" or the trade name and a list of the ingredients with the percentage of each. There is also a prohibition against misleading advertising, especially that which would

imply that oleomargarine has a relation to any dairy product. It is forbidden to manufacture or sell by wholesale oleomargarine without a license from the Minister of Agriculture. Regulations may be issued prescribing standards of quality for oleomargarine.

EDIBLE OIL PRODUCTS ACT, S.O. 1952, c.26; S.O. 1953, c.31 (am.)

"An Act respecting Edible Oil Products".

An edible oil product is any food substance, other than a dairy product, that is manufactured for human consumption wholly or in part from any fat or oil other than that of milk. The Lieutenant Governor in Council may make regulations designating the edible oil products to which this act applies, providing for the licensing of manufacturers and wholesalers of these products, prescribing standards of quality and composition for them, respecting the advertising and labelling of containers of edible oil products, prescribing the records to be kept by manufacturers and wholesalers and prescribing the duties of inspectors and analysts. It is unlawful to manufacture or sell any edible oil product, other than oleomargarine, in which fat or oil other than that of milk has been mixed or blended with a dairy product in such manner that the resultant edible oil product is an imitation of or resembles any dairy product, but this does not prevent the use of chocolate, cocoa or any flavoring preparation that contains fat or oil other than that of milk, provided such fat or oil does not exceed one-half of one per cent by weight of the dairy product.

TRANSPORTATION OF FOWL ACT, R.S.O. c.397, 1950

In this act "fowl" means live fowl and dressed or undressed poultry. The act does not apply to a bona fide producer or breeder of fowl, to a bona fide purchaser for his own use or a donee of 12 fowl or less or to a person licensed under the Public Commercial Vehicles Act. No person may carry or transport fowl on any highway in Ontario unless he holds a permit for that purpose granted by the clerk of the county or, in unorganized territory, the clerk of the municipality where he carries on business or resides. This permit must be carried by the holder at all times when he is transporting fowl. Constables may search premises and vehicles of permit holders and require the holder to produce his permit.

(d) Fruits, vegetables, honey and tobacco

Q U E B E C

TOBACCO ACT, R.S.Q. c.134, 1941

"An Act respecting the Preparation and Sale of Leaf Tobacco".

This act gives the Minister of Agriculture power to ascertain the sanitary condition of establishments where leaf tobacco is sorted, prepared or sold for commercial purposes. It requires persons in charge of such establishments to label their packages of tobacco leaf properly with the variety, mixture, standard of quality and name of the processor.

The Lieutenant Governor in Council may make regulations regarding quality, manner of preparation, classification and inspection of leaf tobacco and the formalities to be followed in confiscating tobacco deemed unfit for consumption or improperly labeled. Inspectors have rights of entry and may order the destruction or confiscation of tobacco unfit for consumption or improperly labeled. The act does not apply to tobacco manufacturers holding excise licenses issued by the federal government with respect to leaf tobacco in their possession for purposes of manufacture.

O N T A R I O

FARM PRODUCTS GRADES AND SALES ACT, R.S.O. c.130, 1950

Farm product in this act includes dairy products, fruit, fruit products, vegetables, vegetable products, maple products, honey, tobacco and such other products of agriculture or articles of food or drink derived therefrom as the Lieutenant Governor in Council may designate. Subject to the approval of the Lieutenant Governor in Council, the Minister of Agriculture may make regulations establishing grades and classes for any farm product, providing for the inspection, grading, packages and packing, marking, handling, shipping, transporting, advertising, purchasing and selling of farm products within Ontario, prescribing the manner in which sellers, transporters and shippers of farm products shall identify, for purposes of grading, individual producer's lots in any shipment, prescribing the manner in which shippers or packers shall make returns to producers, designating inspection points, respecting the cleanliness and sanitation of premises where farm produce is stored, processed, graded or packed, providing for the issue of licenses for engaging in the marketing of farm products and for operating markets for farm products and a number of similar matters. The act outlines the powers of inspectors, including power to detain products.

FRUIT PACKING ACT, R.S.O. c.150, 1950

Upon recommendation of the Minister of Agriculture, the Lieutenant Governor in Council may make a grant to any association of fruit growers, which is incorporated and composed of not less than ten growers who together hold at least 100 acres of land and have contracted to market their fruit through the association. The grant is to assist the association to acquire, erect or equip buildings for grading, packing and storing their fruits and the amount of the grant is not to exceed 25 per cent of the value of the buildings or a total of more than \$1,500.

FARM PRODUCTS CONTAINERS ACT, R.S.O. c.129, 1950

At the request of the Ontario Bee-keepers' Association or the Ontario Fruit and Vegetable Growers' Association, the Minister of Agriculture is empowered to order the licensing of producers of honey, fruit or vegetables (including persons engaged in handling, packing, processing, shipping, transporting, purchasing or selling these products). He may require producers to pay license fees to the association through the manufacturers of containers used in the marketing of those products and

require the manufacturers of containers to collect the license fees from the producers to whom they sell containers and pay the proceeds to the association. The moneys received by the association through this system are to be used to defray its expenses.

ONTARIO FOOD TERMINAL ACT, R.S.O. c.261, 1950

This act continues the Ontario Food Terminal Board as a body corporate for the purposes of acquiring, constructing, equipping and operating a wholesale fruit and produce market in the County of York. The act sets forth the constitution of the board and its powers and duties. The Lieutenant Governor in Council may authorize a provincial guarantee of moneys borrowed by the Board. The Terminal is exempt from payment of provincial property, business and income taxes but is liable for municipal and school taxation. No person may establish or operate within the city of Toronto or the Counties of York or Peel any market for the sale by wholesale of fruit and vegetables without the approval of the board, but this does not apply to any such market which was being regularly operated on May 1, 1946, so long as it is not extended or enlarged.

6. AGRICULTURAL SOCIETIES AND EDUCATION

Q U E B E C

AGRICULTURAL SOCIETIES ACT, R.S.Q. c.117, 1941; S.Q. 1942, c.41 (am.);
S.Q. 1945, c.35 (am.)
"An Act respecting Agricultural Societies".

An agricultural society may be formed in each county and in each electoral district of each town or city provided at least 50 persons become members. Whenever there are two or more societies in existence in a county they may be united and provision is also made for more than one society in a county where it would be inconvenient if there were only one. There is also provision for district societies within a judicial district. The purposes of all agricultural societies are to promote improvement in agriculture, horticulture, silviculture, mechanics, manufacturing and domestic industry and works of art by holding meetings for discussion and lectures, promoting the circulation of agricultural papers, offering prizes for essays on theoretical or practical agriculture, importing animals of superior breeds and new varieties of plants, grains and seeds, organizing ploughing matches and crop and cultivation competitions and by holding exhibitions. The act sets forth the constitution of societies, their powers and duties and the annual statutory allocations to be paid to them.

FARMERS' CLUBS ACT, R.S.Q. c.118, 1941
"An Act respecting Farmers' Clubs".

A farmers' club may be formed by at least 25 members in any parish. These clubs shall have all the objects conferred on agricultural societies and they may further procure books, magazines and newspapers

concerned with agricultural subjects for the use of their members and promote experiments in farming, manure and improved agricultural machinery and implements, encourage the study of best methods of fattening cattle, producing milk, manufacturing butter and cheese and improving and draining lands. No club alone is to hold a fall exhibition such as is ordinarily held by agricultural Societies. A club may have animals of improved breed sold by a person who has no license and without paying the duties required by law, provided the purchasers keep such animals within the territory of the club. A club may form any of its members into a society for the testing of milch cows. The act deals with the constitution of clubs, election of directors, finances and similar matters.

HORTICULTURAL SOCIETIES ACT, R.S.Q. c.121, 1941

"An Act respecting Horticultural Societies".

Horticultural societies consisting of at least 25 persons may be formed in any city, town, village, township or parish. They are to be corporations and their objects are to be the same as those of agricultural societies but with reference to horticulture only. Provision is also made in this act for the formation of the Pomological and Fruit Growing Society of the Province of Quebec. The act outlines the powers and duties of these societies.

QUEBEC CHAMBER OF AGRICULTURE ACT, R.S.Q. c.115, 1941

"An Act to create a Provincial Chamber of Agriculture".

The Quebec Chamber of Agriculture of 12 members is created for study and consultation on agricultural matters, to furnish advice and make recommendations to the Minister of Agriculture and to make regulations for the internal government of farmers' clubs and agricultural societies, unions of such clubs or societies and of horticultural societies.

FARMERS' AND DAIRYMEN'S ASSOCIATIONS ACT, R.S.Q. c.123, 1941

"An Act respecting Farmers' and Dairymen's Associations".

The Lieutenant Governor in Council may authorize the formation of one or more associations, having for their objects the promotion of agriculture and fruit growing, improvement in the manufacture of butter and cheese, the inspection of butter and cheese factories and related matters, the improvement of livestock, the raising of fowl and the drainage and irrigation of farming lands. Each association will be a corporation and may possess real property not exceeding \$25,000 in value. The act deals with the election of directors and officers, by-laws and the annual report.

AGRICULTURAL MERIT ACT, R.S.Q. c.116, 1941

"An Act respecting the Order of Agricultural Merit of the Province of Quebec, and Competitions for Agricultural Merit".

The order of Agricultural Merit is instituted for the purpose of encouraging agriculturalists by honors and awards and to acknowledge services rendered to agriculture. Provision is made for competitions to determine winners of awards although, in addition, awards may be made to any persons who

have rendered services to agriculture. The decorations and diplomas comprise:

1. The decoration of Commander of the Order of Agricultural Merit and the Diploma of "exceptionally distinguished merit" or of "specially distinguished merit".
2. The decoration of Officer of the Order of Agricultural Merit and the diploma of "distinguished merit".
3. The decoration of Knight of the Order of Agricultural Merit and the diploma of "great merit".
4. The diploma of "merit".

"AN ACT TO INCORPORATE LA CORPORATION DES AGRONOMES DE LA PROVINCE DE QUEBEC". S.Q. 1942, c.61; S.Q. 1945, c.59 (am.)

The agronomists of the province are organized and incorporated under this act and the general corporation is divided into regional sections, each section also being a corporation. The act prescribes the powers of both the general and sectional corporations and lists the requirements for admission to the practice of agronomy. No person may assume the title of agronomist or practice agronomy in the province unless he is a member of the corporation.

DAIRY AND AGRICULTURAL SCHOOLS ACT, R.S.Q. c.125, 1941

"An Act respecting the establishment and maintenance of a Dairy School and of Intermediate Agricultural Schools".

The Minister of Agriculture may establish and maintain a dairy school under the name of the Dairy School of the Province of Quebec and, at any place in the province, intermediate agricultural schools. He may make regulations appointing the teaching staff, establishing the qualifications required for professors, determining the conditions of admission, establishing the course of study and an examination system and dealing with similar matters.

"AN ACT AUTHORIZING THE ESTABLISHMENT OF A PROVINCIAL SCHOOL OF VETERINARY MEDICINE". S.Q. 1947, c.16

The government is authorized to establish and maintain at Saint-Hyacinthe a Provincial School of Veterinary Medicine which shall be under the jurisdiction of the Minister of Agriculture. It is to be a veterinary college within the meaning of Section 2 of the Veterinary Surgeons' Act. Particulars regarding appointment of a teaching staff are given in the Act.

S.Q. 1950-51, c.40, "An Act respecting the Provincial School of Veterinary Medicine" incorporates the college, outlines its rights and powers and grants a subsidy not exceeding \$850,000 to the college.

O N T A R I O

AGRICULTURAL COMMITTEES ACT, R.S.O. c.9, 1950

Provision is made for the formation of an agricultural committee in each county or district, although where there is only one agricultural representative for two counties or districts there may be only one committee for both or, if there are two agricultural representatives in one county or district, two committees may be formed. Each agricultural organization is entitled to at least one representative on the committee up to the number of 13 and, thereafter, up to a total of 15 members, one person may be selected as the representative of two or more agricultural associations. The agricultural representative shall be secretary-treasurer. The purposes of an agricultural committee are to co-operate with and make suggestions to the agricultural representative, to make recommendations to appropriate authorities concerning soil conservation, reforestation, weed control, health of animals, plant diseases, crop production, marketing problems and similar matters, to co-ordinate the undertakings of the various agricultural associations and to promote farm youth activities.

AGRICULTURAL REPRESENTATIVES ACT, R.S.O. c.12, 1950

The Lieutenant Governor in Council may appoint as agricultural representatives persons who have graduated from a university or college approved by the Minister of Agriculture with the degree of Bachelor of Science in Agriculture. Each representative shall perform such duties as the Minister of Agriculture may designate. Each county council must make a grant of \$500 per annum to assist the representative in carrying on his work.

AGRICULTURAL SOCIETIES ACT, R.S.O. c.13, 1950; S.O. 1953, c.3 (am.); S.O. 1954, c.2 (am.)

This act outlines the method of organizing an agricultural society and deals with such matters as election of directors and officers, membership, fees, annual meetings, financial statements, annual returns to the Superintendent of Agricultural Societies and powers of the board of directors including right to acquire sites for fairs and exhibitions. Provision is made for provincial grants to societies and municipal councils may also make limited grants. The objects of agricultural societies are to encourage interest, promote improvements in and advance the standards of agriculture, domestic industry and rural life by surveying and studying agricultural and living conditions and assisting in solving the rural economic and social problems of their districts, holding agricultural exhibitions, holding public meetings and demonstrations, owning pure bred livestock and distributing seeds and plants, acting to eradicate poisonous and noxious insects, weeds, animal parasites and diseases, encouraging reforestation and rural beautification, providing seed cleaning plants, grading machinery and storage facilities and encouraging young people to adopt better agricultural and domestic practices.

HORTICULTURAL SOCIETIES ACT, R.S.O. c.169, 1950

The mode of organizing horticultural societies is set forth in this act and the method of electing officers, preparing financial statements, entitlement to membership, holding of the annual meeting and similar matters. The object of a society is to encourage interest and improvement in horticulture by holding meetings for instruction and discussion, by encouraging the improvement of home and public grounds by planting trees, shrubs and flowers, by interesting juveniles by holding contests and competitions, by holding exhibitions and awarding premiums for the production of vegetables, plants, flowers, fruits, trees and shrubs, by distributing seeds, plants, bulbs, flowers, trees and shrubs, and by promoting the circulation of horticultural periodicals.

AGRICULTURAL ASSOCIATIONS ACT, R.S.O. c.8, 1950; S.O. 1953, c.2 (am.)

This act lists a number of agricultural associations and declares that they and any other associations that may be designated by the Lieutenant Governor in Council are to be corporations. The act prescribes how the directors and officers of each association shall be elected and deals with the calling of meetings, duties of officers, provision of provincial grants and grants from municipal councils and similar matters.

MUNICIPAL ACT, R.S.O. c.243, 1950; S.O. 1951, c.53 (am.); S.O. 1952, c.63 (am.); S.O. 1953, c.70 (am.); S.O. 1954, cc.56 and 57 (am.); S.O. 1955, c.48 (am.)

Section 310 of this act permits a township council to levy a special rate not exceeding one-half of one mill, upon the ratepayers of the township who are assessed as farmers as the annual membership fees of such persons in the Federation of Agriculture. A person may object to this assessment by notifying the assessor in writing, whereupon the assessor must strike the person's name from the assessment roll insofar as it applies to this special rate. (For summary of Section 410(1)(a) of this act see under "Marketing")

AGRICULTURAL COLLEGE ACT, R.S.O. c.374, 1937; S.O. 1946, c.89 (am.); S.O. 1952, c.2 (am.)

This act continues the Ontario Agricultural College and Experimental Farm to provide a theoretical and practical education in agriculture, horticulture and arboriculture. The act lists the subjects that shall be taught and the nature of the experiments that shall be made, provides for the appointment of a president and staff and an advisory board, provides for the affiliation of the college with the University of Toronto and provides for certain reports to be submitted to the Legislative Assembly.

VETERINARY COLLEGE ACT, R.S.O. c.375, 1937

The Ontario Veterinary College is to be operated under the direction of the Minister of Agriculture. Provision is made for furnishing the college with appliances and equipment, for the appointment of a principal and staff, for arrangements whereby instruction may be furnished by the University of

Toronto, the Ontario Agricultural College or any affiliated college of the University of Toronto, for prescribing the qualifications for the Bachelor of Veterinary Science degree, for an advisory board and for other matters necessary for the operation of the college.

RESEARCH FOUNDATION ACT, S.O. 1944, c.53; S.O. 1955, c.73 (am.)

The Ontario Research Foundation is continued as a body corporate with the object of carrying on research, studies and investigation, particularly concerning the conservation, development and utilization of the natural resources of the province, the development and utilization of the by-products of processes using the mineral, timber or other resources of the province, the development and improvement of methods of agricultural industry and the betterment, welfare and progress of farm life, the mitigation and abolition of disease in animal or vegetable life and the control and destruction of insect or parasitic pests and the improvement and development of industrial materials, products and techniques.

7. CO-OPERATIVES

Q U E B E C

CO-OPERATIVE AGRICULTURAL ASSOCIATIONS ACT, R.S.Q. c.120, 1941; S.Q. 1944, c.26 (am.); S.Q. 1947, c.45 (am.)

"An Act respecting Co-operative Agricultural Associations".

This act describes the method whereby co-operative associations may be formed for the improvement and development of agriculture, the manufacture of butter or cheese or both, the sale and purchase of livestock, farm implements, commercial fertilizers and other articles used in agriculture and the purchase, preservation, transformation and sale of agricultural products. Each association will be a corporation. The act deals with such matters as membership, election of directors, by-laws, powers of the board of directors, borrowing powers, financial statements and distribution of surplus. A co-operative agricultural association may acquire shares in La Société Coopérative-Fédérée des Agriculteurs de la Province de Québec. The Minister of Agriculture may at any time examine the books and accounts of any co-operative agricultural society which receives a subsidy or aid from the government. The property of the association shall be exempt from all government taxes.

QUEBEC CO-OPERATIVE SYNDICATES ACT, R.S.Q. c.290, 1941; S.Q. 1943, c.42 (am.); S.Q. 1945, c.60 (am.); S.Q. 1948, c.35 (am.)

"An Act respecting Cooperative Syndicates".

Co-operative syndicates or associations for consumption, production, credit, provident or other economic purposes may be formed and they are civil corporations. In addition to individuals, any corporation may take shares in these syndicates. The act sets forth the organization of co-operative

associations, the method of electing their boards, and specifies their borrowing and lending powers, their ability to create reserve funds, the conduct of meetings, the preparation of reports and similar matters.

BUTTER AND CHEESE SOCIETIES ACT, R.S.Q. c.128, 1941

"An Act respecting Societies for the Manufacture of Butter or Cheese or of Both".

Butter or cheese manufacturing societies may be formed by five or more persons and be incorporated. This act sets forth the method of formation and the duties and powers of societies. Penalties are provided for persons who sell skimmed or watered or tainted milk to a manufacturer of butter or cheese and for manufacturers who use or permit employees to remove any cream for their own benefit from milk delivered to their factories.

DAIRY PRODUCTS FACTORIES PATRONS' SOCIETIES ACT, R.S.Q. c.129, 1941

"An Act respecting Societies of Patrons of Dairy Product Factories".

Twenty-five persons or more may form a society of patrons of a dairy product factory and the society may be incorporated. There shall be only one society for each factory. The object of a society is to protect its members in the manufacture and sale of dairy products. The society may purchase or build a cheese factory or a butter factory or a cheese and butter factory and operate or lease or sell it. The organization, powers and duties of the society are specified in the act.

"AN ACT RESPECTING COOPERATIVE SYNDICATES". S.Q. 1950-51, c.65

This act provides for the appointment of a commission to revise, coordinate and consolidate the laws of the province respecting cooperative syndicates and to suggest appropriate amendments. The commission is also to study the various systems of taxation of cooperative syndicates and make recommendations thereon.

O N T A R I O

CORPORATIONS ACT, S.O. 1953, c.19; S.O. 1954, c. 14(am.); S.O. 1955, c.9 (am.)

Sections 122 to 140 of this act apply to the incorporation of co-operative companies. They deal with their share capital, borrowing powers, voting for directors, distribution of surplus, patronage returns, distribution of property on dissolution, by-laws and duties.

ASSESSMENT ACT, R.S.O. c.24, 1950; S.O. 1951, c.4 (am.); S.O. 1952, c.3 (am.); S.O. 1953, c.6 (am.); S.O. 1954, c.3 (am.); S.O. 1955, c.4 (am.)

Section 4 (19) of this act provides tax exemption for the buildings and other structures erected upon the lands of a co-operative corporation (but not for the land itself) and used as a co-operative cold storage plant, provided the co-operative has been aided by a loan or grant from the governments

of Canada or Ontario and provided that not more than 20 per cent of the storage space is used by persons who are not members of the co-operative for the storage of Canadian-grown farm products, in which case the co-operative shall be liable for the proportionate part of the taxes levied on the building assessment for the part of the building so used. (For a summary of Section 4(18) of this act see under "Land Policy - Tenure and Assessment".)

CO-OPERATIVE MARKETING LOANS ACT, R.S.O. c.69, 1950

The government of the province, upon the recommendation of the Minister of Agriculture, may make loans to co-operative corporations of producers incorporated for the purpose of grading, cleaning, packing, storing, drying, processing or marketing farm produce. The maximum loan to a co-operative association is \$15,000 but a co-operative cold storage association may be loaned an amount not exceeding 50 per cent of the property on which the loan is to be made up to a maximum loan of \$65,000. The act specifies the terms and conditions of loans, including the rate of interest, repayment, reports of financial condition of the borrower and action to be taken if there is default in the performance of the contract or a breach of the provisions of this act. The act may be extended to associations other than co-operative corporations if the majority of shares of capital stock are owned by producers of agricultural products. The Lieutenant Governor in Council is also authorized to guarantee payment of loans made to co-operative associations.

CORPORATIONS TAX ACT, R.S.O. c.72, 1950; S.O. 1952, c.13 (am.); S.O. 1953, c.22 (am.)

The following co-operatives are exempt from taxation under this act:

- (a) co-operatives organized to market the products of their members or shareholders;
- (b) co-operatives that purchase supplies and equipment for the use of their members or shareholders;
- (c) co-operatives that market the products of or purchase supplies and equipment for persons other than their members or shareholders where the value thereof does not exceed 20 per cent of the value of the products, supplies and equipment marketed or purchased for their members.

Credit unions and companies organized to finance co-operative companies are also exempted.

CONSOLIDATED CHEESE FACTORIES ACT, R.S.O. c.63, 1950.

This act is now inoperative.

8. CREDIT UNIONS

Q U E B E C

"AN ACT TO CONTRIBUTE TO THE SUCCESS OF CREDIT UNIONS". S.Q. 1947, c.15;
S.Q. 1950, c.38 (am.); S.Q. 1953-54, c.34 (am.)

This act, as amended, authorizes the government to make a grant to any credit union or group of credit unions each year for a period of 12 years, the total of such grants not to exceed \$90,000 per year.

O N T A R I O

CREDIT UNIONS ACT, 1953, S.O. 1953, c.26; S.O. 1954, c.17 (am.)

Provision is made in this act for the incorporation of credit unions having for their purpose the receiving of moneys on deposit from members, the making of loans to members with or without security for provident and productive purposes, the making of loans to other credit unions and depositing money in, making loans to and investing money in a league of credit unions. The act deals with the method of incorporation of credit unions, their powers and by-laws, the creation of their capital, voting rights of members, limits to lending operations, investment of funds, borrowing powers, financial statements, method and purposes of incorporating a league of ten or more credit unions, method of dissolving credit unions and similar matters.

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